

**TOWN OF PROVINCETOWN – BOARD OF SELECTMEN**

**EXECUTIVE SESSION – MONDAY – APRIL 9, 2012 5 PM**

**TOWN HALL – TOWN MANAGER’S CONFERENCE ROOM**

Chairman Elaine Anderson called the meeting to order at 5:05 PM noting the following Board of Selectmen members: Elaine Anderson, David Bedard, Austin Knight, David McChesney and John Santos

Other Attendees: Town Manager Sharon Lynn

Recorder: David Bedard

The following are meeting minutes, in brief:

**1. EXECUTIVE SESSION (Clause 3)**

**MGL C. 30, §21 Clause 3** allows for an executive session “To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body; and the Chair so declares.”

**MOTION**: *Move that the Board of Selectmen vote, pursuant to MGL C. 30A, §21, Clause 3, to go into executive session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body; and the Chair so declares, and not to convene in open session thereafter. (Roll Call Vote)*

**1) 60 Race Point Road – Unit 3 – Mortgage Default Notice – Affordable Housing**

**2) Turkowitz vs. Town of Provincetown**

**John Santos – Yes**

**Austin Knight – Yes**

**David Bedard - Yes**

**David McChesney - Yes**

**Elaine Anderson - Yes**

**Motion by: Austin Knight**

**Seconded by: David Bedard**

**Yea 5 Nay 0**

**1) 60 Race Point Road – Unit 3 – Mortgage Default Notice – Affordable Housing**

Other attendees: Affordable Housing Administrator Michelle Jarusiewicz, Town Counsel Shirin Everett

Town Counsel Shirin Everett gave a full background on the issues concerning the property. She went over the material contained in the agenda item and the options concerning the mortgage default on said property. (Agenda Item attached).

**MOTION**: *Move that the Board of Selectmen exercise our rights on the Affordable Housing Restriction to cure the default or to buy 60 Race Point Road #3 or sell it to an eligible buyer.*

**John Santos – Yes**

**Austin Knight – Yes**

**David Bedard - Yes**

**David McChesney - Yes**

**Elaine Anderson - Yes**

**Motion by: Austin Knight      Seconded by: David Bedard      Yea 5 Nay 0**

Attorney Everett and Michelle Jarusiewicz left the room.

**2) Turkowitz vs. Town of Provincetown**

Present: Chief of Police Jeff Jaran and Town Counsel Joseph L. Teehan, Jr.

Attorney Teehan lead the discussion on the progress of the case including the current negotiations of settlement.

**MOTION:** *Move that the Board of Selectmen vote pursuant to G.L.c.258, § 9, to indemnify defendants Warren Tobias, Jeff Jaran, Michael Barone, Anthony Bova, Thomas Steele, Monica Himes, and Sgt. Casrrie Lopes, in the case of Barry Scott Turkowitz v. Town of Provincetown, et al. for compensatory damages only, to the extent permitted by law.*

**John Santos – Yes**

**Austin Knight – Yes**

**David Bedard - Yes**

**David McChesney - Yes**

**Elaine Anderson - Yes**

**Motion by: David Bedard**

**Seconded by: John Santos**

**Yea 5 Nay 0**

Motion to adjourn by David Bedard at 6:10 PM

Minutes transcribed by: Vernon G. Porter, Secretary to Board of Selectmen  
April 11, 2011